

**Department of Personnel Administration
Memorandum**

TO: Personnel Management Liaisons (PML)

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| SUBJECT: Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA) - Bargaining Unit 6 | REFERENCE NUMBER: 2011-031 |
| DATE ISSUED: 07/29/11 | SUPERSEDES: |

This memorandum should be forwarded to:

**Personnel Officers
Personnel Transactions Supervisors
Employee Relations Officers**

FROM: Department of Personnel Administration
Labor Relations Division

CONTACT: Personnel Services Branch
(916) 323-3343
Fax: (916) 324-2914
Email: psb@dpa.ca.gov

Beginning with the calendar year 2012 the method for calculating Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA) leave for represented employees in State Bargaining Unit 6 has been changed from the 12-month rolling year method to the 12-month calendar year method.

Under the calendar year method, an employee is entitled to 12 weeks of FMLA leave any time during the calendar year.

Employees will retain the full benefit of 12 weeks of FMLA/CFRA leave with the change to the new method. For example, regardless of how much FMLA/CFRA leave has been taken during the past 12 months under the rolling-year method, employees are now entitled to a full 12 weeks of FMLA/CFRA leave benefit during calendar year 2012 and each calendar year thereafter.

Prior to implementing this change, departments are required to provide a 60-day notice to all current BU 6 represented employees.

A sample "Notice to BU 6 Represented Employees" is attached for departments to model when informing their BU 6 represented employees of this new procedure.

Personnel staff with questions may contact the Personnel Services Branch at the phone number or email listed above.

/s/Julie Chapman

Julie Chapman
Deputy Director of Labor Relations

Attachment

(DEPARTMENT LETTERHEAD)

(DATE)

To: Represented Employees in Bargaining Unit 6

Re: Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA)

This letter is to notify you of a change in the method of calculating FMLA/CFRA leave for Bargaining Unit 6 represented employees. This notice is required by the Code of Federal Regulations [29 C.F.R. 825.200(d)(1)] and California Code of Regulations [7297.3(b)].

Under current practice, FMLA/CFRA leave is calculated using the 12-month rolling year method. Effective with the 2012 calendar year, the practice will change to the calendar year method. Under the calendar year method, an employee is entitled to up to 12 weeks of qualifying FMLA/CFRA leave at any time during a calendar year.

You will retain the full benefit of 12 weeks of leave under this new calendar year method. Regardless of how much qualifying FMLA/CFRA leave has been taken during the past 12 months under the rolling-year method, you are entitled to 12 weeks of FMLA/CFRA leave during calendar year 2012 and each year thereafter.

Questions regarding this notice may be directed to (CONTACT NAME).

Sincerely,

(SIGNATURE BLOCK)